

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

C.C. as Parent and Legal Guardian of
JANE DOE, a Minor,

CASE NO: 1:23-cv-00255

Plaintiff,

Hon. Paul L. Maloney

v.

MARCELLUS COMMUNITY SCHOOLS,
MARCELLUS COMMUNITY SCHOOLS
BOARD OF EDUCATION, and individuals
NANETTE PAULEY, MELINDA BOHAN,
SARAH BISCHOFF, TAMMY CURTIS,
HENRY ESSEX and ROBERT DIETZEL,
In their individual capacities,

Defendants.

Elizabeth Abdnour (P78203)
ABDNOUR WEIKER, LLP
Attorneys for Plaintiff
500 E. Michigan Avenue, Ste 130
Lansing, MI 48912
(517) 292-0067
Email: elizabeth@abdnour.com

Mark A. Gilchrist (P61741)
SMITH HAUGHEY RICE & ROGGE
Attorneys for Defendant Robert Dietzel
100 Monroe Center NW.
Grand Rapids, MI 49503
(616) 458-1477
Email: mgilchrist@shrr.com

Mark T. Ostrowski (P49761)
Jessica M. Stark-Flechsigg (P80647)
KLUCZYNSKI, GIRTZ & VOGELZANG
Attorneys for Defendants Marcellus CS,
Marcellus CS BOE, Nanette Pauley,
Melinda Bohan, Sarah Bischoff, Tammy
Curtis, and Henry Essex
3033 Orchard Vista Dr SE, Ste 308
Grand Rapids, MI 49546
(616) 559-8649
Email: marko@kgvlaw.com

**STIPULATION TO DISMISS MARCELLUS COMMUNITY SCHOOLS, MARCELLUS
COMMUNITY SCHOOLS BOARD OF EDUCATION, NANETTE PAULEY, MELINDA
BOHAN, SARAH BISCHOFF, TAMMY CURTIS AND HENRY ESSEX AS
DEFENDANTS WITHOUT PREJUDICE PENDING PROBATE PROCEEDINGS
REGARDING SETTLEMENT AND PROPOSED ORDER**

IT IS HEREBY STIPULATED by and between the parties hereto, through their respective attorneys, that Defendants Marcellus Community Schools, Marcellus Community Schools Board of Education, Nanette Pauley, Melinda Bohan, Sarah Bischoff, Tammy Curtis and Henry Essex, ("School District Defendants") be dismissed without prejudice and without costs for the reason that a settlement has been reached between said parties and the only delay is with the processing of the probate matter required due to claims asserted on behalf of a minor.

Plaintiff and the School District Defendants executed a written settlement agreement on November 29, 2023. A portion of the proceeds of the settlement are to be place in trust for minor, C.C. There has been a delay in the probate process required to approve the settlement and establish a trust for C.C.

The parties agree that it is a waste of resources for the School District Defendants to continue as defendants in this litigation while the probate proceedings are being completed. The parties request that this Court issue an order dismissing the School District Defendants without prejudice and without costs at this time. The parties anticipate that a stipulation dismissing the School District Defendants with prejudice will be submitted to the Court upon completion of the probate process.

KLUCZYNSKI, GIRTZ & VOGELZANG

Date: March 12, 2024

By: /s/ Mark T. Ostrowski
Mark T. Ostrowski (P49761)
Jessica M. Stark (P80647)
Attorneys for Defendants Marcellus CS,
Marcellus CS BOE, Nanette Pauley,
Melinda Bohan, Sarah Bischoff, Tammy
3033 Orchard Vista Dr. SE, Suite 308
Grand Rapids, MI 49546
(616) 559-8649

ABDNOUR WEIKER, LLP

Date: March 12, 2024

/s/ Elizabeth Abdour
Elizabeth Abdour (P78203)
Attorneys for Plaintiff
500 E. Michigan Ave., Ste. 130
Lansing, MI 48912
(517) 292-0067

SMITH HAUGHEY RICE & ROGGE

Date: March 12, 2024

/s/ Mark A. Gilchrist
Mark A. Gilchrist (P61741)
Attorneys for Robert Dietzel
100 Monroe Center NW
Grand Rapids, MI 49503
(616) 458-1477

ORDER OF DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY ORDERED:

Defendants, Marcellus Community Schools, Marcellus Community Schools Board of Education, Nanette Pauley, Melinda Bohan, Sarah Bischoff, Tammy Curtis and Henry Essex, ("School District Defendants") only, are hereby dismissed without prejudice and without costs.

This is not a final order.

Date: March ____, 2024

Honorable Paul L. Maloney
U.S. District Court Judge